

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

José SANCHEZ RAMOS,

Plaintiff,

v.

BAWADI, INC., et al.,

Defendants

Civ. No: 1:17-cv-924-LMB-TCB

JOINT DISCOVERY PLAN PURSUANT TO RULE 26(f)

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the parties, by counsel, hereby agree to the following discovery plan:

Rule 26(f) Conference

Counsel for the parties conferred as required by Rule 26(f) on December 18, 2017.

Service by e-mail only

Any documents required to be served on the opposing party, with the exception of discovery answers and productions, can be served by e-mail only, and such service shall be deemed effected as of the date of e-mailing (counsel waive the three additional days provided by Rules 5(b)(2)(E) and 6(d)).

Initial Disclosures

The parties shall exchange initial disclosures as required by Rule 26(a)(1)(A) on or before January 12, 2018.

Discovery

All discovery shall be subject to the limitations set forth in the Court's Scheduling Order, the Federal Rules of Civil Procedure, and the Local Rules of this Court, subject to either party's right to seek to propound additional discovery requests or depositions by agreement of the parties, or to move the court for leave to continue discovery beyond the cut-off date for good cause shown. All written discovery shall be served in time to assure that it is answered before the deadline for completion of discovery. The parties agree that discovery should not be conducted in phases or limited in advance to particular issues but shall be subject to the right of either party to object to particular discovery requests in accordance with the applicable rules.

Depositions

Any limit in the number of depositions imposed by the court or by the Rules shall not apply to depositions of a party to this lawsuit.

Notices of 30(b)(6) depositions, along with a list of topics to be addressed, shall be served no later than 10 days before the deposition. No later than 3 days before the deposition, the party so served shall provide the name of any person(s) designated to sit for the 30(b)(6), and if more than one person, which person shall address which topics.

Expert Witnesses

Pursuant to Local Rule 26(D), the parties agree that the expert disclosures required by Rule 26(a)(2) shall be made as follows:

Plaintiff's Expert(s)-January 22, 2018

Defendant's Expert(s)-February 22, 2018

Rebuttal Expert(s)-March 22, 2018

Depositions of expert witnesses may take place following the close of discovery as the parties may agree, provided that no deposition will be taken later than one month before the start of trial.

Subpoenas

The parties expressly reserve their rights to conduct additional discovery through the use of subpoenas pursuant to Fed. R. Civ. P. 45.

Electronically stored information (“ESI”)

ESI is not likely to be a major component of this case. The parties agree to cooperate in the exchange of ESI in a reasonable manner to mitigate the expense of production. ESI shall be exchanged in native format, unless the parties agree to exchange such files in another format.

Privilege Issues

The parties agree that any claims of privilege made within discovery responses will be addressed in an appropriate log. However, communications between client and litigation counsel, communications between litigation counsel, and work-product of litigation counsel need not be so addressed. With the exception noted, the objecting party will identify the responsive documents which are withheld and the basis for same in log form, noting date, author, addressee, type of document, and generic description of contents.

Settlement

The parties acknowledge that they have discussed their claims and defenses and the possibility of settlement with their respective counsel, and that such discussions will continue as discovery takes place. The parties do not believe that a settlement conference would be productive at such an early stage of the case, without discovery having been carried out.

Magistrate Judge

The parties do not consent to trial before a magistrate judge.

Waiver of Initial Pretrial Conference

The parties waive the initial pretrial conference.

Respectfully submitted,

By: //s//
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Date: December 19, 2017

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